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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

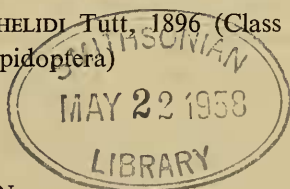
Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

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OPINION 506

Grant under the Plenary Powers of precedence to the specific name *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurtina*, over the name *janira* Linnaeus, 1758, as published in the combination *Papilio janira* (a name published in the same work and on the same date) and suppression under the same Powers of the family-group name EPINEPHELIDI Tutt, 1896 (Class Insecta, Order Lepidoptera)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 506

GRANT UNDER THE PLENARY POWERS OF PRECEDENCE TO THE SPECIFIC NAME "JURTINA" LINNAEUS, 1758, AS PUBLISHED IN THE COMBINATION "PAPILIO JURTINA", OVER THE NAME "JANIRA" LINNAEUS, 1758, AS PUBLISHED IN THE COMBINATION "PAPILIO JANIRA" (A NAME PUBLISHED IN THE SAME WORK AND ON THE SAME DATE) AND SUPPRESSION UNDER THE SAME POWERS OF THE FAMILY-GROUP NAME "EPINEPHELIDI" TUTT, 1896 (CLASS INSECTA, ORDER LEPIDOPTERA)

RULING :—(1) The following action is hereby taken under the Plenary Powers :—

- (a) All selections by First Revisers as to the relative precedence to be accorded to the specific name *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurtina*, and the specific name *janira* Linnaeus, 1758, as published in the combination *Papilio janira*, these being names published in the same work and on the same date, made prior to the present Ruling are hereby set aside, and directions are hereby given that the name *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurtina*, is to take precedence over the name *janira* Linnaeus, 1758, as published in the combination *Papilio janira* (Class Insecta, Order Lepidoptera).
- (b) The family-group name EPINEPHELIDI Tutt, 1896 (type genus: *Epinephele* Hübner, [1819]) is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) It is hereby ruled that in accordance with the provisions of *Declaration* 28 the nominal family-group taxon MANIOLIDI Reuter (E.), 1897, was based upon a misidentified type genus and therefore that the above name possesses no status under either the Law of Priority or the Law of Homonymy.

(3) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Numbers severally specified below :—

(a) *Maniola* Schrank, 1801 (gender : feminine) (type species, under *Declaration* 21, through the selection as such by Scudder (S.H.), (1875), of *Maniola lemur* Schrank, 1801 (a name which under the lectotype selection made by Hemming (F.), (1956), is a junior objective synonym of *Papilio jurtina* Linnaeus, 1758) : *Papilio jurtina* Linnaeus, 1758) (Name No. 1254) ;

(b) *Erebia* Dalman, 1816 (gender : feminine) (type species, by original designation : *Papilio ligea* Linnaeus, 1758) (Name No. 1255).

(4) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Numbers severally specified below :—

(a) *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurtina*, a name taking precedence over the name *janira* Linnaeus, 1758, as published in the combination *Papilio janira*, under the Ruling given under the Plenary Powers in (1)(a) above (specific name of type species of *Maniola* Schrank, 1801) (Name No. 1492) ;

- (b) *janira* Linnaeus, 1758, as published in the combination *Papilio janira*, a name ranking for precedence below the name *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurtina* under the Ruling given under the Plenary Powers in (1)(a) above (Name No. 1493) ;
- (c) *fortunata* Alphéraky, 1889, as published in the combination *Epinephele janira* var. *fortunata* (Name No. 1494) ;
- (d) *ligea* Linnaeus, 1758, as published in the combination *Papilio ligea* (specific name of type species of *Erebia* Dalman, 1816) (Name No. 1495).

(5) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Number 1143 :—

Epigea Hübner, [1819] (a junior objective synonym of *Erebia* Dalman, 1816).

(6) The under-mentioned specific name is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name Number 506 :—

lemur Schrank, 1801, as published in the combination *Maniola lemur* and as defined by the lectotype selection made by Hemming (F.), (1956) (a junior objective synonym of *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurtina*).

(7) The under-mentioned family-group names are hereby placed on the *Official List of Family-Group Names in Zoology* with the Name Numbers severally specified below :—

- (a) MANIOLIDI Verity, 1953, as validated by the rejection of MANIOLIDI Reuter (E.), 1897, under *Declaration 28* in (2) above (type genus : *Maniola* Schrank, 1801) (Name No. 214) ;
- (b) EREBIINAE Tutt, 1896 (type genus : *Erebia* Dalman, 1816) (Name No. 215).

(8) The under-mentioned family-group names are hereby placed on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* with the Name Numbers severally specified below :—

- (a) MANIOLIDI Reuter (E.), 1897 (type genus : *Maniola* Schrank, 1801) (invalid under *Declaration 28* under the Ruling given in (2) above, as being the name of a family-group taxon based upon a misidentified type genus) (Name No. 255) ;
- (b) EPINEPHELIDI Tutt, 1896 (type genus : *Epinephele* Hübner, [1819]), as suppressed under the Plenary Powers in (8)(b) above (Name No. 256).

I. THE STATEMENT OF THE CASE

On 18th June 1956 Mr. Francis Hemming (*London*) submitted the following application in which he asked for the use by the Commission of its Plenary Powers to secure (a) that as the

specific name for the Common Meadow Brown Butterfly of Europe the specific name *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurтина*, should take precedence over the specific name *janira* Linnaeus, 1758, as published in the combination *Papilio janira*, these being names published in the same work and on the same date, and (b) that the name MANIOLIDI Verity, 1953, should be the oldest available family-group name for the genus *Maniola* Schrank, 1801 (Class Insecta, Order Lepidoptera) :—

Proposed use of the Plenary Powers (a) to secure that the name “jurtina” Linnaeus, 1758, shall be the oldest available specific name for the species currently known as “Maniola jurтина” (Linnaeus, 1758) and (b) to protect the family-group name “Maniolidi” Verity, 1953 (Class Insecta, Order Lepidoptera)

By FRANCIS HEMMING, C.M.G., C.B.E.

(London)

The principal object of the present application is to ask the International Commission on Zoological Nomenclature to use its Plenary Powers to secure that the name *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurтина*, shall be the oldest available name for the species currently known as *Maniola jurтина* (Linnaeus, 1758) (Class Insecta, Order Lepidoptera). The need for the use of the Plenary Powers in this case arises, as will be seen, from the decision of the Fourteenth International Congress of Zoology, Copenhagen, 1953, to reinstate the “First Reviser” Principle in a revised form in place of the “Principle of Page and Line Precedence” adopted by the preceding Congress in Paris in 1948 for determining the relative precedence to be accorded to names published in the same book and on the same page. A second and important purpose of the present application is to secure that the family-group taxon typified by the above species shall bear a name based on the generic name *Maniola* Schrank and not upon the name (a) *Epinephele* Hübner, [1819], a long-rejected junior subjective synonym of *Maniola* Schrank. The relevant particulars of both aspects of the present case are given in the following paragraphs.

2. The Meadow Brown, perhaps the commonest roadside butterfly in Europe, was given two names in 1758 by Linnaeus who, misled by the sexual dimorphism shown in this species, believed that the female represented one species and the male another. The nominal species so established were : (a) *Papilio jurтина* Linnaeus, 1758 (*Syst.*

Nat. (ed. 10) 1 : 475, no. 104), the habitat for which was given as “in Gramine *Europae, Africae*”; (b) *Papilio janira* Linnaeus, 1758 (*ibid.* 1 : 475, no. 106), the habitat for which was given as “in *Europae sylvis*”. Of these names *jurtina* Linnaeus applied to the female, and *janira* Linnaeus to the male of the species with which we are here concerned.

3. Although Linnaeus himself never admitted that the above names applied to a single species, his mistake in this matter was noted by several authors between the publication of the Tenth and Twelfth Editions of the *Systema Naturae*, e.g. by Scopoli (1763) and Müller (1764), but these authors contented themselves with pointing out that the names *jurtina* Linnaeus and *janira* Linnaeus applied to the same species but neither of them took the final step of accepting one of these names and rejecting the other. Neither of these authors can therefore be regarded as having acted as a First Reviser. The first author to do so was Fabricius (J.C.). In his two first works Fabricius accepted both the Linnean nominal species as good species; thus in 1775 (*Syst. Ent.* : 497—498) he treated *janira* as Species No. 235 and *jurtina* as Species No. 236, while in 1781 (*Spec. Ins.* 2 : 81) he treated the above nominal species as Species Nos. 358 and 359 respectively. When, however, we come to his next important work, we find that Fabricius had realised that Linnaeus' two names applied to the same taxon (*Mantissa Ins.* 2 : 44). On this occasion he accepted the name *janira* Linnaeus as the name for this species, allotting to it the Species No. 433, and at the same time he rejected the name *jurtina* Linnaeus, stating that it was only a name for the other sex of *janira* Linnaeus, to which he sunk it as a junior synonym. Fabricius' actual comment on *jurtina* Linnaeus was “Sp. Ins. 2.81.359 [i.e. *Papilio janira*] pura sexus varietas”. The foregoing action by Fabricius complies in every respect with the requirements incorporated in Article 28 by the Copenhagen Congress and accordingly Fabricius is to be accepted as having acted as a First Reviser in the *Mantissa* of 1787. Accordingly, under the above Article the name *janira* Linnaeus is to be accorded precedence over the name *jurtina* Linnaeus.

4. Although in Fabricius' day and for more than a hundred years thereafter there was no International Code of Zoological Nomenclature, zoologists in general accepted the idea that in cases of difficulty a First Reviser's choice was binding and for the next seventy years the name *janira* Linnaeus was almost universally applied to the present species, the name *jurtina* Linnaeus virtually disappearing from the literature. At the beginning of the second half of the XIXth century the tendency to accept the principle of page and line precedence, which later was to become so widespread in entomological literature, began to make itself felt and already as early as 1861 Staudinger (O.) in the first edition of his famous Catalogue (1861, in Staudinger (O.) & Wocke (M.), *Cat. Lép. Europ.* (1) : 13), while retaining the name

janira Linnaeus, suggested that *jurtina* Linnaeus had priority (“nomen anterius, recipiendum?”). Staudinger repeated this observation ten years later in the second edition of his Catalogue (: 31). In the same year (1871) Kirby (W.F.) in his *Synonymic Catalogue of Diurnal Lepidoptera* (: 77), which for so many years exercised a predominant influence on the nomenclature used for the butterflies, definitely adopted the name *jurtina* Linnaeus for this species, sinking the name *janira* Linnaeus as a junior synonym. The same course was followed by Staudinger himself in 1901 in the third edition of his Catalogue (: 62). The influence of these works was so great that for the last seventy or eighty years the name *jurtina* Linnaeus has completely replaced the name *janira* Linnaeus as the specific name for this species. In 1913 (*J. linn. Soc. Lond.*, Zool. 32 : 184—185) in a review of the syntypes in the Linnean collection of butterflies at Burlington House, Verity drew attention to the differences in the descriptions and in the localities given by Linnaeus for *janira* Linnaeus and *jurtina* Linnaeus respectively and, as First Reviser, designated North Africa as the Restricted Locality for *Papilio jurtina* Linnaeus and “Central-Europe” as the restricted locality for *Papilio janira* Linnaeus. Under this action the name *janira* Linnaeus became the oldest available name for the Central European subspecies of the Meadow Brown, while the name *jurtina* Linnaeus became the valid name for the North African subspecies which at that time was confused with the insular subspecies *fortunata* Alphéraky, 1889 (*Epinephele janira* var. *fortunata* Alphéraky, 1889, in Romanoff, *Mém. Lépid.* 5 : 222, pl. 11, fig. 4♀) described from Orotava in Teneriffe in the Canary Islands.

5. Kirby's action in 1871 would undoubtedly have constituted a valid First Reviser selection of *jurtina* Linnaeus in preference to *janira* Linnaeus if it had not been for the prior selection made in the opposite sense by Fabricius in 1787. In the absence of an international code of zoological nomenclature the action of Fabricius had no binding force in Kirby's day and the importance attaching to it was completely overlooked after the Berlin Congress had embodied the “First Reviser” principle in the Code then adopted. It would, however, cause great confusion and quite unwarranted name-changing if the long overlooked First Reviser selection by Fabricius were now to be adopted. I accordingly ask the International Commission to use its Plenary Powers to set aside the selection made by Fabricius and to direct that the name *jurtina* Linnaeus, 1758 (*Papilio*) be accorded precedence over the name *janira* Linnaeus, 1758 (*Papilio*).

6. The species with which we are here concerned is the type species of the genus *Maniola* Schrank, 1801 (*Fauna boica* 2(1) : 152, 170), but there is a minor technical difficulty which requires to be straightened out before the position can be regarded as wholly satisfactory. The nominal genus *Maniola* was established by Schrank to embrace the whole of the species of the family SATYRIDAE known to him as occurring within the area covered by his book and from the species so included

it is evident that, if Schrank had been dealing with the whole European fauna, he would have included all the European SATYRIDAE in his genus *Maniola*. In this respect Schrank therefore anticipated by nine years the action of Latreille in establishing the genus *Satyrus*, which has since become the type genus of this family and has been placed on the *Official List (Opinion 142)*. Of the twenty-nine nominal species placed by Schrank in the genus *Maniola* the tenth (Species No. 1305) was the new nominal species *Maniola lemur* (: 175). This was introduced to embrace the nominal species *Papilio jurtina* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 475) and *Papilio janira* Linnaeus, 1758 (*ibid.* 1 : 475). As explained in paragraph 3 above, the two Linnean names have long been recognised as applying to the female and male respectively of a single species. The name *lemur* Schrank has never been used by any subsequent author, having always been treated as a junior subjective synonym of one or other of the above names. Under the clarification of the provisions of Article 31 adopted by the Fourteenth International Congress of Zoology, Copenhagen, 1953 (1953, *Copenhagen Decisions zool. Nomencl.* : 72—74, Decisions 136—137) it is now possible to give a determinate content to the nominal species *Maniola lemur* Schrank by selecting a lectotype for it from the material cited by Schrank. This I now do by selecting the specimen on which Linnaeus based his description of *Papilio jurtina* to be the lectotype of Schrank's nominal species *Maniola lemur*. By this selection the specific name *lemur* Schrank becomes a junior objective synonym of *jurtina* Linnaeus, 1758.

7. The type species of *Maniola* Schrank was selected—though in rather a peculiar manner—by Scudder in 1875 (*Proc. amer. Acad. Arts Sci.*, Boston 10 : 211). In order to understand the method adopted by that author in this important work, it is necessary to recall (1) that for each nominal genus dealt with he cited the nominal species placed in the genus concerned by its original author but in addition placed in brackets any of those names which in Kirby's *Syn. Cat. diurn. Lep.* of 1871 had been rejected as a junior synonym of some other name, (2) that in each case where the name of an originally included species was placed in brackets in this way Scudder placed in front of it the name adopted for the species concerned in Kirby's *Catalogue*. In the case of the genus *Maniola* Scudder cited the specific name *lemur* Schrank in brackets and placed in front of it the specific name *jurtina* Linnaeus, 1758, the name applied to the species concerned in Kirby's *Catalogue*. Next, Scudder printed the name *jurtina* in bold-faced type, the method used throughout his paper to denote that the species in question was the type species of the genus concerned. Up till 1948 it was doubtful whether this method of selecting a type species complied with the requirements of Rule (g) in Article 30 of the *Règles*. In that year, however, the Thirteenth International Congress of Zoology, Paris, inserted in the *Règles* a provision validating the foregoing method of selecting a type species for a genus (1950, *Bull. zool. Nomencl.*

4 : 179—180, Point 69(3)(b)), the purpose of this decision being to avoid the far-reaching and totally unwarranted confusion which would have followed from the rejection of the large number of type selections previously made in this way. Accordingly, under the foregoing provision Scudder is to be accepted as having made a valid selection of *Maniola lemur* Schrank, 1801, to be the type species of the genus *Maniola* Schrank, 1801. At this point we have to recall that under the Commission's recently adopted *Declaration* 21¹ : "Where one of two or more objectively identical nominal species is designated, indicated or selected as the type species of a genus, that genus shall be cited as having as its type species the oldest established of the nominal species concerned". In the present case the lectotype selection for the nominal species *Maniola lemur* Schrank, 1801, made in paragraph 6 above has made the nominal species *Maniola lemur* Schrank, 1801, and *Papilio jurtina* Linnaeus, 1758, objectively identical with one another, the specific name *lemur* Schrank having thus become a junior objective synonym (instead of, as hitherto, only a junior subjective synonym) of *jurtina* Linnaeus, 1758. Accordingly, under the provisions of *Declaration* 21 referred to above the genus *Maniola* Schrank, 1801, is, through Scudder's action in 1875, to be cited as having as its type species the nominal species *Papilio jurtina* Linnaeus, 1758, and not the objectively identical nominal species of later date *Maniola lemur* Schrank, 1801.

8. It is necessary now to consider the family-group-name aspects of the present case. There are two of these. For the first of these for which until recently no guidance was given in the *Règles* the requisite remedy has now been provided by the Commission through its *Declaration* 28.² The second problem arises from a well-intentioned but most unfortunate decision by the Copenhagen Congress of 1953 and the requisite relief in this case is obtainable only by the use by the Commission of its Plenary Powers. The family-group names involved are the following :—

EREBIINAE Tutt, 1896, *Brit. Butts.* : 87, 402 (type genus : *Erebia* Dalman, 1816, *K. Vetensk. Akad. Handl.*, Stockholm 1816 (No. 1) : 58)

EPINEPHELDIDI Tutt, 1896, *Brit. Butts.* : 87, 376, 402 (type genus : *Epinephele* Hübner, [1819], *Verz. bekannt. Schmett.* (4) : 59)

MANIOLIDI Reuter (E.), 1897, *Act. Soc. Sci. fenn.* 22 : 356 (type genus : *Maniola* Schrank, 1801, *Fauna boica* 2(1) : 152, 170) (based upon an incorrect interpretation of the genus *Maniola* Schrank, 1801)

¹ This *Declaration* was published on 19th June 1956 as Part 11 of Vol. 12 of the *Opinions and Declarations Series*

² This *Declaration* was published on 5th December 1956 as Part 20 of Vol. 14 of the *Opinions and Declarations Series*.

MANIOLIDI Verity (R.), 1953, *Farfalle diurne Italia* 5 : 228, 237 (type genus : *Maniola* Schrank, 1801, correctly interpreted).

9. It will be convenient to consider first the problem, for which a remedy has been provided by the Commission through its *Declaration* 28. As shown above the first author to establish a nominal family-group taxon based upon the generic name *Maniola* Schrank was Reuter in 1897. It is necessary first to note that in 1871 Kirby (*Syn. Cat. diurn. Lep.*) without any justification sank the name *Erebia* Dalman as a junior synonym of *Maniola* Schrank (: 57) and placed in the latter genus (: 66) the nominal species *Papilio ligea* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 473), the type species by original designation of *Erebia* Dalman, together with all the other species currently regarded as belonging to Dalman's genus. At the same time Kirby placed in the genus *Epinephele* Hübner the nominal species *Papilio jurтина* Linnaeus, 1758, which, as shown in paragraph 7 above is the type species of *Maniola* Schrank, 1801. This was the arrangement followed by Reuter who, after citing *Erebia* Dalman as a junior synonym of *Maniola* Schrank and enumerating the species which he considered to belong to this genus (: 131), erected for it the nominal tribe MANIOLIDI (: 356). Under the Commission's recent *Declaration* 28 an author establishing a new family-group taxon is to be assumed to have correctly determined the type genus, subject to the condition that, where, in the opinion of later authors, there is evidence in the original publication that the author of a family-group name treated the type genus of the family-group taxon concerned as having as its type species some nominal species other than that which already was or later became the type species, the case is to be referred to the International Commission for decision. It is further provided in the foregoing *Declaration* (a) that on the receipt of such an application, it shall be the duty of the Commission to determine whether or not the original author of the family-group name concerned misdetermined the genus selected by him as the type genus of the nominal family-group taxon in question and (b) that, where the Commission rules that the type genus of such a taxon was misdetermined, the family-group name in question is to be rejected as possessing no rights under either the Law of Priority or the Law of Homonymy. In view of the evidence provided by Reuter's paper referred to above, I ask that under the foregoing *Declaration* the Commission should now rule that the nominal family-group taxon MANIOLIDI Reuter, 1897, was based upon a misdetermined type genus and that that name is therefore to be rejected. Thus, the name MANIOLIDI Reuter, 1897, does not invalidate as a homonym the later name MANIOLIDI Verity, 1953, a name based upon a correct determination of *Maniola* Schrank, 1801, its type genus.

10. The second point which calls for attention arises out of the fact that, as noted in paragraph 9 above, the genus *Maniola* Schrank was formerly commonly known by its junior subjective synonym

Epinephele Hübner, [1819] (type species, by selection by Butler, 1868 (*Ent. mon. Mag.* 4 : 194) : *Papilio janira* Linnaeus, 1758). It was so treated by Tutt when in 1896 he established the nominal tribe EPINEPHELIDI. The name EPINEPHELIDI Tutt, 1896, having priority over the name MANIOLIDI Verity, 1953, becomes under the unfortunate *Decision* 54(1)(a) of the Copenhagen Congress (1953, *Copenhagen Decisions zool. Nomencl.* : 36) referred to in paragraph 8 above the valid name for the family-group taxon typified by the genus *Maniola* Schrank, 1801. Nothing could be more confusing and objectionable than the sudden resurrection at the family-group-name level of the long-discarded generic name *Epinephele* Hübner, [1819]. In order to avoid this highly undesirable result, the International Commission is asked to use its Plenary Powers to suppress the family-group name EPINEPHELIDI Tutt, 1896. This procedure is recommended in preference to the use of the Plenary Powers to direct that this name should not be used in preference to the name MANIOLIDI Verity, 1953, for, as the type species of the respective type genera of these nominal family-group taxa are subjectively identified with one another, it is impossible to imagine any circumstances in which the name EPINEPHELIDI Tutt could be required in addition to the name MANIOLIDI Verity.

11. Of the generic names discussed in the present application the name *Maniola* Schrank has no junior objective synonyms. In the case of the name *Erebia* Dalman, 1816, there is, however, one junior objective synonym which should now be placed on the *Official Index*. This is the name *Epigea* Hübner, [1819] (*Verz. bekannt. Schmett.* (4) : 62), the type species of which, by selection by Hemming, 1933 (*Entomologist* 66 : 198), is *Papilio ligea* Linnaeus, 1758, which, as noted in paragraph 9 above, is the type species by original designation of the genus *Erebia* Dalman.

12. For the reasons set out in the present application the International Commission on Zoological Nomenclature is asked :—

(1) to use its Plenary Powers :—

(a) to set aside all selections by First Revisers as to the relative precedence to be accorded respectively to the specific name *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurтина* and the specific name *janira* Linnaeus, 1758, as published in the combination *Papilio janira*, these being names published in the same work and on the same date, made under Article 28 of the *Règles* prior to the Ruling now asked for, and, having done so, to direct that the name *jurtina* Linnaeus, 1758, as published in combination with the generic *Papilio*, is to take precedence over the name *janira* Linnaeus, 1758, as published in combination with the same generic name ;

- (b) to suppress the family-group name EPINEPHELIDI Tutt, 1896 (type genus : *Epinephele* Hübner, [1819]) for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (2) under *Declaration* 28 to rule that the nominal family-group taxon MANIOLIDI Reuter, 1897, was based upon a misdetermined type genus and therefore that the above name possesses no status under either the Law of Priority or the Law of Homonymy ;
- (3) to place the under-mentioned generic names on the *Official List of Generic Names in Zoology* :—
- (a) *Maniola* Schrank, 1801 (gender : feminine) (type species, under *Declaration* 21, through the selection by Scudder (1875) of *Maniola lemur* Schrank, 1801 (which under the lectotype selection made in paragraph 6 of the present application is a junior objective synonym of *Papilio jurtina* Linnaeus, 1758) : *Papilio jurtina* Linnaeus, 1758) ;
- (b) *Erebia* Dalman, 1816 (gender : feminine) (type species, by original designation : *Papilio ligea* Linnaeus, 1758) ;
- (4) to place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :—
- (a) *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurtina*, a name taking precedence over the name *janira* Linnaeus, 1758, as published in the combination *Papilio janira* under the Ruling under the Plenary Powers asked for in (1)(a) above (specific name of type species of *Maniola* Schrank, 1801) ;
- (b) *janira* Linnaeus, 1758, as published in the combination *Papilio janira*, a name ranking for precedence below the name *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurtina* under the Ruling under the Plenary Powers asked for in (1)(a) above ;
- (c) *fortunata* Alphéraky, 1889, as published in the combination *Epinephele janira* var. *fortunata* ;
- (d) *ligea* Linnaeus, 1758, as published in the combination *Papilio ligea* (specific name of type species of *Erebia* Dalman, 1816) ;
- (5) to place the under-mentioned generic name on the *Official Index of Rejected and Invalid Generic Names in Zoology* : *Epigea* Hübner, [1819] (a junior objective synonym of *Erebia* Dalman, 1816) ;

- (6) to place the under-mentioned specific name on the *Official Index of Rejected and Invalid Specific Names in Zoology*:— *lemur* Schrank, 1801, as published in the combination *Maniola lemur* and as defined by the lectotype selection made in paragraph 6 of the present application (a junior objective synonym of *jurtina* Linnaeus, 1758, as published in the combination *Papilio jurтина*) ;
- (7) to place the under-mentioned family-group names on the *Official List of Family-Group Names in Zoology* :—
- (a) MANIOLIDI Verity, 1953 (type genus : *Maniola* Schrank, 1801), as validated by the suppression under the Plenary Powers of the name EPINEPHELIDI Tutt, 1896, asked for in (1)(b) above ;
- (b) EREBIINAE Tutt, 1896 (type genus : *Erebia* Dalman, 1816) ;
- (8) to place the under-mentioned family-group names on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* :—
- (a) MANIOLIDI Reuter (E.), 1897 (type genus : *Maniola* Schrank, 1801) (invalid under the ruling given in (2) above under *Declaration 28* because based upon an incorrectly determined type genus) ;
- (b) EPINEPHELIDI Tutt, 1896 (type genus : *Epinephele* Hübner, [1819]), as suppressed under the Plenary Powers, as asked for under (1)(b) above.

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Mr. Hemming's application the question of the stabilisation of the specific name for the Meadow Brown Butterfly was allotted the Registered Number Z.N.(S.) 1142.

3. Publication of the present application : The present application was sent to the printer on 20th June 1956 and was published

on 31st October of the same year in Part 10 of Volume 12 of the *Bulletin of Zoological Nomenclature* (Hemming, 1956, *Bull. zool. Nomencl.* **12** : 279—286).

4. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 31st October 1956 (a) in Part 10 of Volume 12 of the *Bulletin of Zoological Nomenclature* (the Part in which Mr. Hemming's application was published) and (b) to the other prescribed serial publications. In addition such Notices was given to four general zoological serial publications and to eight entomological serials in Europe and America.

5. Support received from Erich M. Hering (Zoologisches Museum der Humboldt-Universität zu Berlin) : On 29th November 1956 there was received in the Office of the Commission the following note from Professor Erich Hering (*Zoologisches Museum der Humboldt-Universität zu Berlin*) in which he intimated his support for the present case (Hering, 1957, *Bull. zool. Nomencl.* **13** : 21) :—

Die Mehrzahl der lepidopterologischen Handbücher in deutscher Sprache des letzten halben Jahrhunderts hat die in Frage stehende Art (entgegen der von Fabricius, 1781, vorgenommenen Aktion als "Erster Revisor") als (*Maniola jurtina* Linnaeus, 1758, bezeichnet. Da der auf das andere Geschlecht der Art gegründete, seit langem verworfene Name *Epinephele* Hübner, [1819] keine Aussicht mehr hat, als Genus-Typus supragenerischer Kategorien zu erscheinen, ist es wünschenswert, dass die auf ihn gegründete Bezeichnung EPENEPHELIDI Tutt, 1896, trotz ihrer Prioritätsrechte unterdrückt wird, um Verwirrung zu vermeiden. Im Interesse der Stabilität und Uniformität der Nomenklatur kann der Hemming'sche Vorschlag nur unterstützt werden.

6. Support received from N. D. Riley (British Museum (Natural History), London) : On 14th February 1957 Mr. N. D. Riley (*British Museum (Natural History), London*) addressed the following

letter to the Office of the Commission in support of the present case :—

I am very glad that you have put up a case to the Commission to settle once and for all the argument as to whether our Meadow Brown Butterfly should be called *jurtina* or *janira*. It really is rather remarkable that the matter has never really been definitely settled yet, though we are within twelve months of the two hundredth anniversary of the publication of the names. Your recommendations have my complete approval, but I must say that I rather regret the passing away of the old familiar and eiphonious generic name *Epinephele* in favour of *Maniola*, but that is only a personal feeling. The case is quite clear and has my full support.

7. No Objection Received : No objection to the action proposed in the present case was received from any source.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

8. Issue of Voting Paper V.P.(57)39 : On 15th May 1957 a Voting Paper (V.P.(57)39) was issued in which the Members of the Commission were invited to vote either for, or against, “ the proposal relating to the specific name for the Meadow Brown Butterfly and associated matters as set out in Points (1) to (8) in paragraph 12 on pages 285 and 286 of Volume 12 of the *Bulletin of Zoological Nomenclature* ” [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present *Opinion*].

9. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 15th August 1957.

10. Particulars of the Voting on Voting Paper V.P.(57)39 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(57)39 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-two (22) Commissioners (arranged in the order in which Votes were received) :*

Hering ; Vokes ; Lemche ; Holthuis ; Riley ; Dymond ;
do Amaral ; Esaki ; Hankó ; Stoll ; Mertens ;
Bodenheimer ; Boschma ; Key ; Bonnet ; Hemming ;
Sylvester-Bradley ; Jaczewski ; Cabrera ; Bradley
(J.C.) ; Tortonese ; Miller ;

(b) *Negative Votes, one (1) :*

Prantl ;

(c) *On Leave of Absence, two (2) :*

Mayr ; Kühnelt ;

(d) *Voting Papers not returned :*

None.

11. Declaration of Result of Vote : On 16th August 1957, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(57)39, signed a Certificate that the Votes cast were as set out in paragraph 10 above and declaring that the proposal

submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

12. Preparation of the Ruling given in the present "Opinion" :

On 19th December 1957 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(57)39.

13. Original References for Generic and Specific Names : The following are the original references for the generic and specific names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

Epigea Hübner, [1819], *Verz. bekannt. Schmett.* (4) : 62

Erebia Dalman, 1816, *K. Vetensk.-Akad. Handl.*, Stockholm
1816 (No. 1) : 58

fortunata, *Epinephela janira* var., Alphéraky, 1889, in Romanoff,
Mém. Lépid. 5 : 222, pl. 11, fig. 4♀

janira, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 475

jurtina, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 475

lemur, *Maniola*, Schrank, 1801, *Fauna boica* 2(1) : 175

ligea, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 473

Maniola Schrank, 1801, *Fauna boica* 1(2) : 152, 170

14. Reference for a lectotype selection : The following is the reference for the lectotype selection for a nominal species specified in the Ruling given in the present *Opinion* :—

For *Papilio lemur* Schrank, 1801 Hemming (F.), 1956, *Bull. zool. Nomencl.* 12 : 282

15. Original References for Family-Group Names : The following are the original references for the family-group names placed by the Ruling given in the present *Opinion* on the *Official List* and/or *Official Index* of names of taxa of the family-group :—

EPINEPHELIDI Tutt, 1896, *Brit. Butts.* : 87, 376, 402

EREBIINAE Tutt, 1896, *Brit. Butts.* : 87, 402

MANIOLIDI Reuter (E.), 1897, *Act. Soc. Sci. fenn.* **22** : 356

MANIOLIDI Verity (R.), 1953, *Farfalle diurne Italia* **5** : 228, 237

16. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

17. The present *Opinion* shall be known as *Opinion* Five Hundred and Six (506) of the International Commission on Zoological Nomenclature.

DONE in London, this Nineteenth day of December, Nineteen Hundred and Fifty-Seven.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING